

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

J.L., et al.,

Plaintiffs,

v.

LOWER MERION SCHOOL DISTRICT,

Defendant.

CIVIL ACTION

NO. 20-1416-KSM

ORDER

AND NOW, this 6th day of January, 2025, upon consideration of the District's objections to certain of Plaintiffs' anticipated expert witnesses (Doc. Nos. 156, 169) and Plaintiffs' response thereto (Doc. No. 167), and the parties' proposed jury instructions and relevant arguments (Doc. Nos. 151, 153, 155, 179), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** as follows:

1. The District's objections to the adequacy of the qualifications of Dr. William Young and Dr. Mary Stephens to opine on the efficacy of the letterboard and communication partner as a communication method for Alex (Doc. Nos. 156, 169) are **SUSTAINED**.

2. The Court reserves ruling on the District's objection to the adequacy of the qualifications of Vanessa von Hagen to opine on the efficacy of the letterboard and communication partner as a communication method for Alex (Doc. Nos. 156, 169).

3. The District's proposed jury instructions on deliberate indifference (Doc. No. 155) are **ADOPTED**,¹ and Plaintiffs' proposed jury instructions on deliberate indifference (Doc. Nos. 151, 153; *see* Doc. No. 179) are **REJECTED**.

IT IS SO ORDERED.

/s/ Karen Spencer Marston

KAREN SPENCER MARSTON, J.

¹ While the Court intends to instruct the jury that Plaintiffs must prove deliberate indifference in order to prevail on their ADA and Section 504 claims, the Court advises that the Court may not adopt the District's proposed jury instructions on deliberate indifference verbatim.